

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION

OF: AVEN ET AL.

SERIAL NO. 09/491,708



RECEIVED
JUL 20 2004
TECH CENTER 1600/2900

FILED: JANUARY 26, 2000

FOR: NON-AQUEOUS EMULSIFYABLE CONCENTRATE FORMULATION

TERMINAL DISCLAIMER

Sir:

Your Petitioner, BASF Aktiengesellschaft, a corporation of Germany, having a place of business at 67056 Ludwigshafen, is the Assignee of the entire right, title and interest in and to pending application Serial No. 09/491,708, filed January 26, 2000, the assignment having been recorded in the Patent and Trademark Office on November 16, 2001, on Reel 012276, Frame 0001.

Your Petitioner, by undersigned attorney, hereby disclaims the terminal part of any patent granted application Serial No. 09/491,708 which would extend beyond the expiration date of U.S. Patent No. 6,444,618, which patent is also owned by Petitioner.

Your petitioner hereby agrees that any patent granted application Serial No. 09/491,708 shall be enforceable only for and during such period that the legal title of such patent shall be the same as the legal title to U.S. Patent No. 6,444,618, this agreement to run with any patent granted on application Serial No. 09/491,708, to be binding upon the grantee, its successors or assigns.

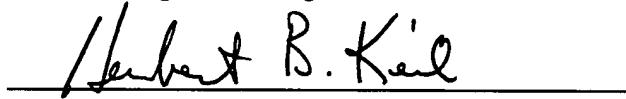
Petitioner also states that the invention disclosed and claimed in application Serial No. 09/491,708 and the invention disclosed and

claimed in U.S. Patent No. 6,444,618 were commonly owned when the invention disclosed and claimed in the present application was made.

Petitioner further states that the evidentiary documents relating to the ownership of application Serial No. 09/491,708 and U.S. Patent No. 6,444,618 have been reviewed and Petitioner certifies that to the best of its knowledge and belief, title is in Petitioner.

The undersigned has reviewed the documents in the chain of title of the U.S. application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignee identified above.

This Terminal Disclaimer executed on behalf of the Assignee by undersigned attorney of record, this 13th day of July 2004.



(Herbert B. Keil)
(Reg. No. 18,967)

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